

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOSEPH CHIDI ANORUO,

Plaintiff,

vs.

ERIK K. SHINSEKI,

Defendant.

Case No. 2:12-cv-01190-JCM-GWF

ORDER

Motion to Strike Amended
Complaint (#41)

This matter comes before the Court on Defendant's Motion to Strike Amended Complaint (#41), filed on February 28, 2013. On January 15, 2013, the District Judge granted Defendant's Motion (#4), dismissing portions of Plaintiff's original Complaint (#1). *See Order, Doc. #34*. The Court advised Plaintiff that if he chooses to amend his Complaint, he may only assert claims that relate to "the non-selection for the Clinical Pharmacy Manager-Oncology position," and that he must first seek leave in accordance with Local Rule 15-1. *See id.* at 8:21-9:3. Plaintiff filed an Amended Complaint (#39) on February 12, 2013 without first seeking leave. Furthermore, Plaintiff re-alleges claims the District Judge dismissed with prejudice in the January 15 Order (#34). *See Amend. Compl., Doc. #39* at 3-5. Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion to Strike Amended Complaint (#41) is **granted**.

IT IS FURTHER ORDERED that Plaintiff's Amended Complaint (#39) is **stricken**.

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1 **IT IS FURTHER ORDERED** that in the event Plaintiff elects to seek leave to file an
2 amended complaint, he may do so on or before **March 14, 2013**.

3 DATED this 1st day of March, 2013.

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6 GEORGE FOLEY, JR.
7 United States Magistrate Judge
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